

## **PLANNING AND ZONING COMMISSION MINUTES**

**City Council Chambers**

**March 15, 2022**

**5:30 P.M.**

**MEMBERS PRESENT:** Frankie Parson, Patrick Noon, Chad Harkey, Jason Jones, Heath Hamberlin, Cody Sage, Bernd (Dutch) Deblouw, Pat O'Rear and Ryan Baumgardner

**STAFF PRESENT:** Michael Shirley, Angela Choy, Anna Scott and Teresita Pinon

### **I. Call to Order**

Frankie Parson, Chairperson, called the meeting to order at 5:30 pm.

### **II. Invocation**

### **III. Pledge of Allegiance**

### **IV. Approval of February 15, 2022 P&Z Minutes**

**MOTION:** Jason Jones motioned for approval of the February 15, 2022, minutes.

**SECOND:** Dutch Deblouw seconded the motion.

**VOTE:** The motion carried unanimously (9-0).

### **V. Citizen Comment**

None

### **VI. Consent Agenda**

A. CONSIDER application #P22-06 Oram Addition filed by BTO Properties, LLC to plat approximately 5.96 acres of Abstract 177 Williams Robinson Survey into 10 residential lots located at the southwest corner of Yarborough Road and Harley Ridge Road.

**MOTION:** Patrick Noon motioned to approve the Consent Agenda.

**SECOND:** Chad Harkey seconded the motion.

**VOTE:** The motion carried unanimously (9-0).

### **VII. Regular Agenda**

A. CONSIDER application #S22-02 filed by Henry Page requesting a Specific Use Permit (SUP) to allow for a One-Family Dwelling with a garage addition in a General Retail (GR) Zoning District for Lots 1 and 2 Block 1 Hills & Trails North Subdivision located at 2111 East George Richey Road.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) to allow for a One-Family Dwelling with a garage addition in a General Retail (GR) Zoning District.

A Specific Use Permit is required for One-Family Dwellings in General Retail (GR) zoning districts to ensure no negative impact on surrounding properties. There are several One-Family Dwellings units located to the north, west, and south of this property. The applicant would like to bring the property into compliance with the current zoning requirements and build an addition to his existing house.

Currently, this section of George Richey Road is being widened to five lanes. With the widening project, TxDOT has acquired approximately 28 feet therefore making the house approximately 3.8 feet away from the property line. This acquisition renders their garage useless so the property owner would like to build a new side entry garage with a 25 foot setback from the new property line.

George Richey Road is maintained by TxDOT and is a principal arterial roadway. Principal arterial roadways serve major centers of metropolitan areas and provide a high degree of mobility. They are designed to service relatively high traffic volumes, have high operational speeds, and service a significant portion of through travel. This type of development is appropriate along this roadway, as long as access management is followed.

Staff finds the proposed zoning change is consistent with future land use map and surrounding uses therefore; it does not constitute spot zoning.

Jason Jones asked staff to clarify where the proposed garage would be located.

Angela Choy explained the driveway led to the garage and the house on the second lot had already been demolished.

Dutch Deblouw asked whether the new garage would be built on the second lot.

Angela Choy explained it would be built right on the property line.

The applicant, Henry Page, 2111 E. George Richey Road, Longview, TX 75604, was present to speak. He reiterated what staff had explained regarding his garage becoming useless after the acquisition by TxDOT of his property to widen the road.

Public Hearing opened for discussion.

No one was present to speak in support or in opposition to the request.

Public Hearing was closed.

**MOTION:** Heath Hamberlin motioned to approve.

**SECOND:** Dutch Deblouw seconded the motion.

**VOTE:** The motion carried unanimously (9-0).

- B. A PUBLIC HEARING will be held to consider application #Z22-06 filed by Nishil Patel requesting a rezone from Single-Family (SF-2) to Townhome (TH) Zoning District for approximately 2.328 acres of AB 258 P P Rains Survey Tract 15-02 Section 6 located on the west side of Horseshoe Lane, north of Magnolia Lane.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 2.328 acres of AB 258 P P Rains Survey Tract 15-02 Section 6 from Single-Family (SF-2) to Townhome (TH) Zoning District located on the west side of Horseshoe Lane, north of Magnolia Lane.

Horseshoe Lane is classified as a Local road and is maintained by the City of Longview. Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, this request does not constitute spot zoning.

As seen on the zoning map, a transition from multi-family to townhomes into single family makes a lot of sense from a staff perspective.

Public Hearing opened for discussion.

No one was present to speak in support or in opposition to the request.

Public Hearing closed.

Frankie Parson asked staff how many townhomes were going to be built.

Angela Choy stated she did not know.

**MOTION:** Dutch Deblouw motioned to approve.

**SECOND:** Pat O'Rear seconded the motion.

**VOTE:** The motion carried unanimously (9-0).



- C. A PUBLIC HEARING will be held to consider application #Z22-07 filed by Selwob Investments, LLC requesting a rezone from Planned Development Multi-Family (PD27), Planned Development (PD16) and Single Family (SF-4) to General Retail (GR) Zoning District for approximately 5.756 acres of AB 262 A Jordan Survey Tracts 4, 5 and 23-01 Section 1 located at 5423 and 2455 North Eastman Road.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 5.756 acres of AB 262 A Jordan Survey Tracts 4, 5 and 23-01 Section 1 from Planned Development Multi-Family (PD27), Planned Development (PD16) and Single Family (SF-4) to General Retail (GR) located at 2453 and 2455 North Eastman Road.

Eastman Road is classified as a principal arterial roadway. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. Retail use is appropriate for this area, as long as access management is followed.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, the request does not constitute spot zoning.

Dutch Deblouw asked staff whether the existing structure would be demolished before development began.

The applicant, Denny Bowles, 3718 Holly Trail, Longview, TX 75605, was present to speak about his project and answer questions. He stated the main tract was already zoned Planned Development – Retail and this request was to bring the property into compliance with current zoning standards. He also said the plan was to keep the Chrisman School structure but that was not a certainty.

Frankie Parson asked Mr. Bowles whether there was a rear access to the tracts.

Mr. Bowles stated there was no access. He explained the plan was for the main entrance to be located on the main tract into the entire development. He also stated there was no access to the west because that is where Cargill Trail is located as well as a detention facility owned by the City.

Public hearing opened for discussion.

No one was present to speak in support or in opposition of the request.

Public hearing closed.

**MOTION:** Patrick Noon motioned for approval.

**SECOND:** Heath Hamberlin seconded the motion.

**VOTE:** The motion carried unanimously (9-0).

- D. A PUBLIC HEARING will be held to consider application #Z22-08 filed by Selwob Investments, LLC requesting a rezone from Planned Development Multi-Family (PD27) to Multi Family (MF) Zoning District for approximately 7.467 acres of AB 262 A Jordan Survey Tract 3 Section 1 located at 2457 North Eastman Road.

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 7.467 acres of AB 262 A Jordan Survey Tract 3 Section 1 from Planned Development Multi-Family (PD27) to Multi Family (MF) located at 2457 North Eastman Road.

Eastman Road is classified as a principal arterial roadway. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. This use is appropriate for this area, as long as access management is followed.

Staff finds the proposed zoning change is consistent with surrounding uses; therefore, the request does not constitute spot zoning.

Dutch Deblouw asked staff what the original planned development stated.

Angela Choy stated it was for multi-family but not site plan specific, therefore a rezone would have been necessary or an amendment would have to be made to the planned development.

Heath Hamberlin asked staff why the requests had be brought before the Commission separately.

Angela Choy stated the applicant requested to do two separate applications.

The applicant, Denny Bowles, 3718 Holly Trail, Longview, TX 75605, was present to speak about his project and answer questions. He stated there were two applications due to contractual obligations. He also said it was unknown whether there would be an opportunity to purchase the Chrisman School building until recently.

Dutch Deblouw asked Mr. Bowles whether he planned to build homes there.



Mr. Bowles stated it would be an apartment complex and there is an existing one across the street and one to the north of the property.

Public hearing opened for discussion.

No one was present to speak in support of the request.

Cody Hammer, 1109 Coughatta Trail, Longview, TX 75605, was present to ask some questions of Mr. Bowles.

He stated he was representing himself and his neighbors on both sides because they could not attend. They all wanted to know whether the plan was to build a three-story apartment building because they were concerned that would overlook their backyards. He stated he did some research and found information stating an apartment complex could be built up as close as ten feet from the property line.

Mr. Bowles stated there were no specific plans yet. He stated the majority of the best property to build on was closer to Eastman Road (Hwy 259) because of the drainage to the west. There would also need to be some kind of detention area placed in the northwest corner. He stated he fully understood Mr. Hammer and his neighbors' privacy concerns but the property had already been zoned Planned Development for Multi-Family for years; his request is more of a formality to bring the property up to current zoning codes.

Frankie Parson asked staff to point out where the holding pond was currently located.

Angela Choy pointed it out on the map and explained that is owned by the City and the property to the south is another detention area.

Heath Hamberlin asked staff whether the current planned development would allow for a three-story structure.

Angela Choy stated she did not see that specified in the planned development when she researched it.

Dutch Deblouw asked staff to verify whether the request was for the same use as the current zoning.

Angela Choy stated that was correct because the use is multi-family.

Mr. Bowles stated the topographic lay of the land was going to dictate a lot of the development. This is also the reason the property has not been developed yet. It is going to cost a lot of money and the best property is closer to Eastman Road (Hwy 259).

Mr. Hammer asked Mr. Bowles whether he envisioned a parking apron or something along those lines on the west side of the property.

Mr. Bowles stated he had no specifics at this time since the contracts to purchase the property were subject to obtaining the zoning first and the development plans were not far along.

Angela Choy explained Mr. Bowles would have to do some buffering and fencing along the trail because the area to the west is residential. Although the minimum is 10 feet from the property line, if the apartment building is three stories, a 20 foot buffer would be required.

Mr. Bowles stated there is a lot of tree line within the city owned right-of-way of Cargill Trail so there is quite a bit of buffer there already. He was surprised when he realized the property line was as far east as it is on the southern tract.

Mr. Hammer stated he did not know about the buffering requirements and limitations on an apartment building depending on its height since all he saw online was the minimum 10 foot setback.

Mr. Bowles stated there was a lot to be determined at this time.

Frankie Parson suggested Mr. Bowles and Mr. Hammer stay in contact with city staff and keep the line of communication open between them since not all the answers were available.

Pat O'Rear asked Mr. Bowles whether he knew the exact distance from his property line to the trail.

Mr. Bowles stated the survey of the property had just been finalized within the last week and the stakes were there but he was unsure of the exact distance.

Michael Shirley stated it was most likely at least 30 or 40 feet or even more than that.

Public Hearing closed.

**MOTION:** Dutch Deblouw motioned for approval.

**SECOND:** Chad Harkey seconded the motion.

**VOTE:** The motion carried unanimously (9-0).

## **VIII. Staff Update**

All zoning items presented to City Council were approved.

**IX. Adjourn**

Chairperson Frankie Parson adjourned the meeting at 5:56 pm.

APPROVED:



Angela Choy, AICP  
City Planner